

Serial No. **10/724,767**

Docket No. **K-0280.01**

Amendment dated **June 19, 2006**

Reply to Office Action of **February 17, 2006**

### **REMARKS/ARGUMENTS**

Claims 61-65, 67, and 70-83 are pending in this application. By this Amendment, claims 61, 70, and 71 have been amended, and claims 66, 68, 69, 84-86, and 156-192 have been canceled without prejudice or disclaimer.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

Claims 84-86 and 156-192 stand withdrawn from consideration. For the sole purpose of expediting the prosecution, those claims have been canceled without prejudice or disclaimer.

Claims 68-66 stand rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

Interleaving is a process of reordering a sequence of symbols or bits input into an interleaver in a predetermined manner. A sequence of symbols or bits is input into an interleaver and the interleaver outputs the sequence of symbols or bits which is reordered in a predetermined manner. Every interleaver includes a variety of parameters including “interleaver size” or “interleaver block size.”

The terminology “interleaver size” has a generally known meaning in this technical field. Further, numerous U.S. Patents filed before the present invention use the terminology “interleaver size.” See, e.g., U.S. Patent Nos. US 5,278,826 (col. 6, line 5); 5,978,365 (col. 13, line 64-col. 14, line 4); 6,023,783 (col. 6, line 45, col. 15, line 35, col. 16, line 28, etc.); and 6,334,197 (col. 1, line 15-line 20).

It is respectfully submitted that the terminology “interleaver size” is not indefinite, and withdrawal of the Section 112, second paragraph, rejection is respectfully requested.

Claims 61-63, 65-69, and 71 stand rejected under 35 U.S.C. §102(b) over 3GPP TS 25.212 V3.1.0 (hereinafter, “3GPP TS”). This rejection is respectfully traversed.

3GPP TS fails to disclose or teach all the features or the combination thereof. Claim 61 broadly recites the features of the invention, and it is respectfully submitted that 3GPP TS fails to disclose or teach “adjusting the coding rate at the encoder by varying the coding rate from the initial value to an adjusted value according to a ratio of a channel interleaver size and a number of bits input into the encoder” and “rate matching an output of the encoder to the channel interleaver size.”

The Patent Office asserts that 3GPP TS teaches the encoder comprising the rate matching block and the channel encoder adjusts the coding rate by varying the coding rate from the initial value to an adjusted value using repetition bits or puncturing (4.2.7 on page 20 of 3GPP TS). Assuming that such an assertion is true for the sake of argument, it is respectfully

submitted that the 3GPP TS then would not disclose or teach “rate matching an output of the encoder to the channel interleaver size.”

The Patent Office asserts that “the coding rate of the Channel Coding and Rate Matching blocks in Figure 2 of the 3GPP TS comprising the Channel Encoder is varied according to a ratio of the size of a block interleaver for the 1<sup>st</sup> Interleaving Block in Figure 2 and a number of bits input into the Channel Encoder at the Channel Coding block in Figure 2” on Page 8 of the Office Action filed Aug. 26, 2005. However, such an assertion is without support in the 3GPP TS. It is respectfully submitted that the 3GPP TS fails to disclose or teach a coding rate of the encoder which is varied from the initial value to the adjusted value according to a ratio of a channel interleaver size and a number of bits input into the encoder.

The 3GPP TS fails to disclose or teach all of the claimed features and the combination thereof. The requirements of Section 102 have not been met, and withdrawal of this rejection is respectfully requested.

Claims 64, 70, 72-73, and 74-83 stand rejected under 35 U.S.C. §103(a) over 3GPP TS 25.212 V3.1.0 (hereinafter, “3GPP TS”) in view of U.S. Patent No. 5,438,590 (hereinafter, “Tzukerman”), and/or in further view of U.S. Patent No. 6,332,209 B1 (hereinafter, “Eroz”). This rejection is respectfully traversed as follows.

The proposed combination fails to establish a *prima facie* case of obviousness, as required under Section 103. It is respectfully submitted that Tzukerman and/or Eroz fails to cure the

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Docket No. **K-0280.01**

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deficiencies of 3GPP TS previously set forth above. Hence, the proposed combination cannot disclose or teach “encoding the input data at a coding rate adjusted according to a ratio of a channel interleaver size and a number of bits input into the encoder,” and “rate matching the encoded data to the channel interleaver size,” and the combination thereof, as recited in independent claim 61. Hence, withdrawal of the Section 103 rejection is respectfully requested.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Daniel Y.J. Kim**, at the telephone number listed below.

Serial No. **10/724,767**

Docket No. **K-0280.01**

Amendment dated **June 19, 2006**

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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